

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-15 previously presented for examination remain in the application.

Claims 1 and 9 have been amended. No new claims have been added and no claims have been canceled.

Claims 1-8 and claims 9-15 stand rejected under the judicially created doctrine of obviousness-type double patenting as being considered to be unpatentable over claims 1-7 of U.S. Patent No. 6,665,805, also assigned to the assignee of the present invention. Applicants are filing a terminal disclaimer in compliance with 37 CFR 1.321(c) concurrently herewith and respectfully request withdrawal of the rejection.

Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph, as being considered to fail to comply with the written description requirement. Specifically, the language "a connector shaped and configured to receive a battery to provide power to the system, the connector in communication with the power management module," is considered to contain subject matter which was not considered to be described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Applicants respectfully submit that, while the claimed battery connector set forth in claim 1 is not explicitly disclosed in the specification, one skilled in the relevant art would readily recognize the implicit disclosure of the claimed connector. Specifically, beginning at page 3, line 19 of the specification, one

embodiment is described in reference to a portable computer. It is well-known by those of ordinary skill in the art that a portable computer typically includes a battery connector to receive a battery to operate as an alternate power supply.

Further, the title of the patent application refers to monitoring user presence to prolong battery operation time. A power management module that is effective in prolonging battery operation time would be clearly understood by one of ordinary skill in the art to be coupled to the connector that receives the battery.

For at least these reasons, applicants respectfully submit that claim 1 meets the requirements of 35 U.S.C. 112 and request withdrawal of the applicable rejection.

Claims 1, 3 and 6-8 stand rejected under 35 U.S.C. § 103(a) as being considered to be unpatentable over U.S. Patent No. 5,666,541 to Sellers ("Sellers") in view of U.S. Patent No. 5,264,992 to Hogdahl et al. ("Hogdahl").

Claim 1 includes the limitations

a user interaction detector to produce a signal indicative of whether a user is interacting with the system;
a user proximity detector to determine whether a user is proximate to the system and to produce a signal indicative of user proximity, the user proximity detector being at least one of activated and deactivated responsive to the user interaction detector;
a power management module to manage power in the system, the power management module responsive to the signal indicative of user proximity; and
a connector to receive a battery to provide power to the system, the connector in communication with the power management module.

(Claim 1)(emphasis added).

Applicants respectfully submit that neither Sellers nor Hogdahl, alone or in combination, teaches or suggests the claimed features of applicants' invention

including at least the user proximity detector that is at least one of activated and deactivated in response to a user interaction detector.

Sellers discloses an approach for reducing power usage in a personal computer by repetitively performing a sequence of steps including: generate a wake-up signal in connection with a user beginning to interact with the computer, in response to the wake-up signal, switching at least a portion of the computer into a more fully powered mode; and keeping the portion of the computer in the more fully powered mode only as long as the user is delivering input to the computer, and thereafter immediately switching the portion of the computer into a less fully powered mode. Sellers discloses using a detector to issue a wake-up signal when a user begins to interact with the computer and control circuitry to switch between the more fully powered mode and the less fully powered mode. A sensor may be used to detect use of a keyboard even when the keyboard is in an unpowered state. (See e.g. Sellers Abstract).

In contrast, claim 1 sets forth a system including a proximity sensor that is at least one of activated and deactivated in response to a user interaction detector.

Sellers does not teach or disclose such a feature.

The combination of Hogdahl with Sellers, were such a combination to be made, would also not teach or suggest the claimed features of applicants' invention. Hogdahl is directed to a modular computer system having self-contained workslate unit detachably coupled to base unit including keyboard.

There is no teaching or suggestion in Hogdahl of either a user interaction detector or a proximity detector as set forth in the claims.

For at least these reasons, applicants' respectfully submit that claim 1 is patentably distinguished over Sellers, alone or in combination with Hogdahl.

Independent claim 9 includes a similar limitation. Claims 2-8 and claims 10-15 depend from and further limit claims 1 and 9 and thus, should also be found to be patentably distinguished over Sellers and Hogdahl, alone or in combination, for at least the same reasons.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being considered to be unpatentable over Sellers in view of Hogdahl and what was considered to be well-known in the art, as exemplified by JP Patent No. 11-232733 to Hongo et al. ("Hongo").

Claims 4 and 5 depend from and limit claim 1. Thus the arguments above in reference to claim 1 regarding the Sellers and Hogdahl references, also apply to claims 4 and 5.

The combination of Hongo does not remedy the deficiencies of Sellers and Hogdahl. Hongo does not teach or suggest a proximity sensor that is responsive to a user presence detector as set forth in the claims.

For at least these reasons, claims 4 and 5 are patentably distinguished over Sellers, Hogdahl and Hongo, alone or in combination.

Claim 9 stands rejected under 35 U.S.C. § 102(b) as being considered to be anticipated by Sellers.

Claim 9 includes a similar limitation as claim 1 and thus, similar arguments apply. For at least the same reasons stated above in reference to claim 1, claim 9 is patentably distinguished over Sellers.

Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being considered to be unpatentable over Sellers in view of what was considered to be well-known in the art, as exemplified by Hongo.

Claims 14 and 15 depend from and further limit claim 9, which includes a limitation similar to that argued above in reference to claim 1. For at least the same reasons argued above in reference to claim 1, claims 14 and 15 are patentably distinguished over Sellers.

The combination of Hongo with Sellers, as argued above, does not remedy the deficiencies of Sellers as Hongo does not teach or suggest a proximity detector that is responsive to an interaction detector as set forth in claim 9 from which claims 14 and 15 depend.

For at least these reasons, claims 14 and 15 should be found to be patentably distinguished over the Sellers and Hongo references.

Claims 2 and 10-13 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

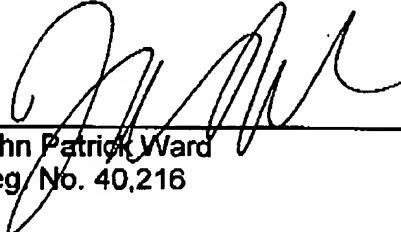
Applicants gratefully acknowledge the allowance of claims 2 and 10-13, but also respectfully submit that the applicable objections and rejections have been overcome and that the remaining claims are in condition for allowance for at least the foregoing reasons.

If the Examiner disagrees or believes that further discussion will expedite prosecution of this case, the Examiner is invited to telephone applicants' representative at the number indicated below.

If there are any charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


John Patrick Ward
Reg. No. 40,216

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12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1030
(408) 720-8300